

DETAILED ACTION

Double Patenting

Claim 1 is provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claim 1 of copending Application No. 2007/0273286 A1. This is a provisional double patenting rejection since the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ertz, III, US Patent No. 4,751,398 in view of Tlaga et al. US Patent No. 6,300,719 B1.

Regarding claim 1, Ertz discloses a low-pressure mercury-vapor discharge lamp provided with a filling of mercury and an inert gas (**col.4, lines 9-20**) being operable in a first and a second mode of operation (**col.4, lines 37-61**); but does not specifically disclose the body of the discharge lamp and electrodes as claimed. However Tlaga teaches of a low-pressure mercury-vapor discharge lamp (abstract) comprising a lamp (1) wherein the discharge lamp comprising a discharge vessel (10) (**1, fig.4**) enclosing, in a gastight manner, a discharge space (13) (**inside 1**); the discharge vessel (10) (**1**) comprising electrodes (5; 6) (**2**) arranged in the discharge space (**inside 1**) for maintaining a discharge in the discharge space (**inside 1**) while the

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discharge lamp operates in the first mode of operation **(discharge loop, abstract)**; at least one of the electrodes (5; 6) **(2)** being operated on a DC or AC power supply **(voltage source 16, could be ac or dc, col.3, lines 52-58)** for drawing a discharge current across the electrode (5; 6) while the discharge lamp operates in the second mode of operation **(heating loop, abstract)**; In purpose of independently delivering discharge current to lamp in various situation. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine Tlaga's invention with Ertz's invention because it is more practical and reasonable to independently deliver discharge current to lamp in various situation.

Regarding claim 2, a low-pressure mercury vapor discharge lamp as claimed in claim 1, Ertz further discloses both electrodes (5; 6) operate on a DC power supply **(batteries 24)** while the discharge lamp operates in the second mode of operation **(col.4, lines 37-61)**.

Regarding claim 3, a low-pressure mercury vapor discharge lamp as claimed in claim 1, Tlaga further teaches while the lamp operates in the second mode of operation, the electrodes (5; 6) are independent with respect to each other **(the voltage sources 16 are independent to each other, col.4, lines 6-33)**. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine Tlaga's invention with Ertz's invention because it is more practical and reasonable to independently deliver discharge current to lamp in various situation.

Regarding claim 4, a low-pressure mercury vapor discharge lamp as claimed in claim 1, Ertz further discloses while operating in the second mode of operation, is electrically disconnected from the power supply **(AC power fail)** on which the discharge lamp operates in the first mode of operation **(col.4, lines 37-61)**.

Regarding claim 5, a low-pressure mercury vapor discharge lamp as claimed in claim 1, Ertz further discloses when a power failure **(AC power fail)** occurs while the discharge lamp operates in the first mode of operation, the second mode of operation causes the discharge lamp to operate in the second mode of operation **(col.4, lines 37-61)**.

Regarding claim 6, a low-pressure mercury vapor discharge lamp as claimed in claim 1, Ertz further discloses a means **(monitoring circuit)** associated with the second mode of operation detects the power failure when the discharge lamp is in the first mode of operation **(col.4, lines 37-61)**.

Regarding claim 7, a low-pressure mercury vapor discharge lamp as claimed in claim 1, Ertz further discloses while operating in the second mode of operation, operates on a current that is less than 20% of the nominal current when the discharge lamp operates in the first mode of operation **(it is well know in the art of circuit the current from an AC power supply is higher than from batteries supply, which**

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could be less than 20% in order to avoid damage to the batteries, col.4, lines 37-68).

Regarding claim 8, a low-pressure mercury vapor discharge lamp as claimed in claim 1, Ertz further discloses the discharge lamp is powered by a battery while operating in the second mode of operation (**batteries 24, fig.2, col.4, lines 37-61**).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jianzi Chen whose telephone number is 5712705292. The examiner can normally be reached on Monday through Thursday 10:00- 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas W. Owens can be reached on 5712721662. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jianzi Chen/
Examiner, Art Unit 2821

/Douglas W Owens/
Supervisory Patent Examiner, Art Unit 2821
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